

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MICHAEL WATSON and SHANNON)
WATSON)
Plaintiffs,)
v.)
FLAGSHIP FINANCIAL GROUP, LLC)
and SALLY A. FARRAR,)
Defendants.)

Case No. 1:10-cv-03337-JOF

JOINT MOTION TO DISMISS THE COMPLAINT

Plaintiffs Michael Watson and Shannon Watson (the “Watsons”), on the one hand, and defendants Flagship Financial Group, LLC (“Flagship”) and Sally A. Farrar (“Farrar” and collectively with Flagship, “Defendants”), on the other hand, through their respective counsel, jointly move this Court and state as follows:

1. On or around August 18, 2010, the Watsons filed a complaint (“Complaint”) against Defendants in the State Court for the State of Georgia, Cobb County (“State Court”), styled *Michael Watson and Shannon Watson v. Flagship Financial Group, LLC and Sally A. Farrar*, Civil Action No. 2010 A 8109-2 (the “Lawsuit”).

2. The Complaint alleges three counts against Defendants: (a) violations of Georgia's Racketeering Influenced and Corrupt Organizations Act ("RICO"), pursuant to O.C.G.A. § 16-4-1, et seq. (Complaint, Count 1); (b) violations of Georgia's residential mortgage fraud statute, pursuant to O.C.G.A. § 16-8-102 (Complaint, Count 2); and (c) violations of Georgia's punitive damages statute, pursuant to O.C.G.A. § 51-12-5.1(b) (Complaint, Count 3). The Complaint further alleges violations of: (a) 18 U.S.C. § 1341, mail fraud (Complaint at 6:34(b)); (b) 18 U.S.C. § 1343, wire fraud (Complaint at 6:34(c)); and (c) 38 CFR 36.4312, Department of Veterans Affairs guidelines, charges and fees ("VA guidelines") (Complaint at 9:50).

3. On October 15, 2010, Flagship filed a Notice of Removal of the Lawsuit in the United States District Court for the Northern District of Georgia, Atlanta Division ("District Court") and a Notice of Filing of Notice of Removal in the State Court.

4. On October 21, 2010, the District Court granted Flagship's Consent Motion for an Extension of Time to Respond to Plaintiffs' Complaint until November 22, 2010.

5. Based on the settlement reached by the parties, the parties request that the Court dismiss the Complaint in its entirety with prejudice as to the Watsons' claims.

6. The parties further request that the Court order that each party bear its own costs and expenses, including attorneys' fees.

WHEREFORE, plaintiffs Michael Watson and Shannon Watson and defendants Flagship Financial Group, LLC and Sally A. Farrar respectfully request that the Court dismiss this Complaint in its entirety with prejudice as to the Watsons' claims and order that each party bear its own costs and expenses, including attorneys' fees.

[Signatures Appear on Following Page]

Respectfully submitted this 1st day of December, 2010.

s/ Jason Crawford

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CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2010 a copy of the foregoing was filed with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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